

REMARKS

This is a full and timely response to the Official Action mailed March 1, 2004. Reexamination and reconsideration are respectfully requested in light of the amendments to the claims and the following remarks.

Priority

It is noted with appreciation that the initial Action has acknowledges receipt of the claim for priority and the certified document supporting that claim.

Specification

The specification as filed for this application has been reviewed and minor changes made to correct errors in syntax, among other things. No new matter is involved in making these changes. This review addresses the Examiner's solicitation of cooperation of the Applicant in checking the specification in section 5 on page 3 of the Action.

Drawings

It is also noted with appreciation that the drawings as filed are approved by the Draftsperson.

Non-elected claims

Claims 11 to 19 were non-elected. Although it is the position of the Applicant that the response is with traverse to preserve a right of rejoinder under MPEP 821.04, it appears that it may be difficult to cast the non-elected claims to include all of the limitations of the elected claims when allowed, or sensibly add their subject matter in dependent form. See for

example the allowability of claim 3, 8 or 9 (for example) relative to any one of claims 11 to 19. Accordingly, without waiver of any rights resulting from the restriction/election history, claims 11 to 19 are here canceled without waiver or prejudice to their presentation in a divisional application.

Elected claims

Claims 1 to 10 and 20 to 22 were thus pending and treated on their merits by the Examiner, with the appreciation of the undersigned. Claims 8 and 9 are allowed and retained without amendment. Claim 10 was merely objected to with a suggestion for changing recitations involving the “third” and “fourth” grooves. Accordingly, claim 10 is amended as suggested to overcome that objection and is also in condition for allowance.

Claim 1 had been rejected as anticipated by either Nomura ‘565 or Iwaki ‘191. Each of these rejections is traversed because of the amendment to claim 1 to recite that a thickness of the recited outer circumference part is greater than that of said flat part (positioned about the convex part functioning as a convex lens) and greater than said convex part. The examiner mapped the former language of claim 1 alone on Nomura ‘565 finding element 3 to be an outer circumferential part or flange. However, as amended with the subject matter of claim 2, Nomura cannot be read on amended claim 1 for it does not have both a flat part positioned about said convex part and an outer circumferential part as recited, each of which is thicker than said convex part. See Fig. 2, noting that the unnumbered angled member between the elements 2 and 3 as seen in Fig. 2, does not meet that limitation for at least the reasons that, in part, it is not thicker than the convex part 2.

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Iwaki was not applied to now-canceled claim 2 having subject matter now included in amended claim 1, but rather only to claim 1. Accordingly, the stated rejection on the basis of Iwaki is overcome. .

Thus, amended claim 1 is submitted to avoid any anticipation rejection based on Nomura, so that original claims 3 to 7 are dependent on claim 1 and thus are patentable for the same reasons wholly aside from the fact that claims 3 to 5 and 7 depend from claim 1, and claim 6 had been rejected as allegedly dependent on claim 1. Reconsideration is requested.

The allowability of claim 3 is noted with appreciation. Accordingly, new claim 24 is like original claim 1 and allowable claim 3, excising the functional language about increasing mechanical strength and improving its resonance frequency. Thus, claim 24 is allowable for the same reasons that claim 3 was allowable. Claims 25 to 29 are like original claims 2, and 4 to 7 respectively and are thus also allowable when dependent on the combination of claim 24 paralleling original claims 1 and 3.

Claim 30 is like original claim 1 and allowable claim 5, while claim 31 is like original claim 1 and allowable claim 7, with claim 32 (like original claim 3) reciting the first groove and being dependent on claim 31.

Claim 21 had been rejected. Without acquiescence in whether the combination relied upon is motivated by disclosure internal to the references or the skill in the art, and not by the Applicant's specification, the subject matter of claim 22 is now included, and arguments supporting the patentability of claim 1 also apply here relative to the thickness of the outer circumference part. Claim 22 thus is retained as dependent on claim 20.

Finally, claim 23 had been indicated to be allowable. Claim 23 has been amended to include the subject matter of original claim 20 and is thus patentable for the reasons already stated by the Examiner.

Conclusion

Claims 10 to 19 are canceled without prejudice or disclaimer. Amended claims 1 and 3 to 7 overcome the prior rejections of claim 1 (two references) or claims 1 and 2. Claims 8 and 9 are allowable and retained unamended. Claim 10 is allowable, but amended to avoid the section 112 rejection. Amended claim 20 avoids the stated rejection; claim 21 is canceled, claim 22 retained as dependent on claim 20, and allowable claim 23 rewritten into independent form. New claims 24 to 32 include independent claims that relate to original claims 1 and 3, 1 and 5 and 1 and 7 respectively and are thus allowable for the same reasons that claims 3, 5 and 7 were stated to contain allowable subject matter.

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Respectfully submitted,

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